IAP13 Rec'd PCT/PTO 07 DEC 2006

Appl. 10/579,168 U.S., National Phase of PCT/GB2004/004788 Statement of Biological Deposit

Attorney Docket No. 36290-0409-00-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent application of: Karl MULLIGAN et al.

Application No: 10/579,168

(International Application No: PCT/GB2004/004788)

Filed:

(International Application: 15 November 2004 (15.11.2004))

For:

CANCER DIAGNOSIS AND THERAPY

MAIL STOP PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

STATEMENT OF BIOLOGICAL DEPOSIT

The following cell line was deposited pursuant to the Budapest Treaty in the European Collection of Cell Cultures (ECACC):

Accession Number

Deposit Date

03073001

July 30, 2003

Attached are the ECAAC deposit receipt and viability statement.

All restrictions imposed on the availability to the public of the deposited material will be irrevocably removed upon the granting of a patent.

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

- I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date indicated below, with sufficient postage, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

BY

DATE:

Respectfully submitted

KARL MULLIGAN et al.

BY

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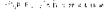
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Attorney for the Applicants







Health Protection Agency, Porton Down and **European Collection of Cell Cultures**

This document certifies that Hybridoma MQ1 Deposit Reference 03073001

has been accepted as a patent deposit, in accordance with The Budapest Treaty of 1977, with the European Collection of Cell Cultures on 30 July 2003

ECACC Patent Supervisor

Murgitroyd &Co

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APPENDIX 3

Page 14

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS

FOR THE PURPOSES OF PATENT PROCEDURE

TO
DR K MULLICAN
QUEEN'S UNIVERSITY BELFAST
DEPT OF ONCOLOGY
U FLOOR
BELFAST CITY HOSPITAL
BELFAST
BT9 7AB
UK

01413078401

INTERNATIONAL FORM

NAME AND ADDRESS
OF DEPOSITOR

| I. IDENTIFICATION OF THE MICROORGANISM | | |
|---|--|--|
| Identification reference given by the DEPOSITOR: MQ1 | Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: 03073001 | |
| II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION | | |
| The microorganism identified under I above was accompani X A scientific description | ed by: | |
| A proposed taxonomic designation (Mark with a cross where applicable) | | |
| III. RECEIPT AND ACCEPTANCE | | |
| This International Depository Authority accepts the microorganism identified under I above, which was received by it on 30 July 2003 (date of the original deposit) 1 | | |
| IV. RECEIPT OF REQUEST FOR CONVERSION | | |
| The microorganism identified under I above was received by this International Depository Authority on (date of the original deposit) and A request to convert the original deposit to a deposit under the Budapest Treaty was received by it on (date of receipt of request for conversion) | | |
| IV. INTERNATIONAL DEPOSITORY AUTHORITY | · | |
| Address: Ruropean Collection of Cell cultures to (ECACC) Au Centre for Emergency Preparedness and Response | gnature(s) of person(s) having the power represent the International Depository thority or of authorized officials(s): | |

¹ Where Rule 6.4(d) applies, such date is the date on which the status of international depositary authority was acquired

Murgitroyd &Co

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APPENDIX 3

Page 24

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

то MULLIGAN DR K QUEEN'S UNIVERSITY BELFAST DEPT OF ONCOLOGY U FLOOR BELFAST CITY HOSPITAL BELFAST BT9 7AB UK

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VIABILITY STATEMENT Issued pursant to Rule 10.2 by the INTERNATIONAL DEPOSITARY AUTHORITY identified on the following page

NAME AND ADDRESS OF THE PARTY TO WHOM THE VIABILITY OF STATEMENT IS ISSUED

| I. DEP | OSITOR | II. IDENTIFICATION OF THE MICROORGANISM |
|--|---|--|
| Name: | DR K MULLIGAN QUEEN'S UNIVERSITY BELFAST DEPT OF ONCOLOGY U FLOOR | Accession number given by the INTERNATIONAL DEPOSITORY AUTHORITY: 03073001 |
| Address: | BBLFAST CITY HOSPITAL BBLFAST BT9 7AB UK | Date of the deposit or of the transfer: 30 July 2003 |
| II. VIA | BILITY STATEMENT | |
| The viability of the microorganism identified under II above was tested on 30 July 2003 2. On that date, the said microorganism was viable | | |
| 3 | no longer viable | |

- Indicate the date of the original deposit or, where a new deposit or a transfer has been 1 made, the most relevant date (date of the new deposit or date of the transfer).
- In the cases referred to in Rule 10.2 (a) (ii) and (iii), refer to the most recent viability 2
- Mark with a cross the applicable box.

Form BP/4 (first page)

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Appendix 3

Page 25

CONDITIONS UNDER WHICH THE VIABILITY TEST HAS BEEN PERFORMED ' IV. THE PATENT DEPOSIT MQ1 - ACCESSION NUMBER 03073001 WAS TESTED FOR VIABILITY USING THE TRYPAN BLUE DYE EXCLUSION METHOD AND A HAEMOCYTOMETER. THE CELLS WERE 84% VIABLE AT RESUSCIATATION. THEY WERE SEEDED AT 5.1 X 10(5) CELLS/ML AND WERE SHOWING GOOD GROWTH AFTER 24 HOURS WITH PLENTY OF ROUND REFRACHLE CELLS. II. INTERNATIONAL DEPOSITARY AUTHORITY Name: ECACC Patent Supervisor Signature(s) of person(s) having the power European Collection of Cell cultures Address: to represent the International Depositary (ECACC) Authority or of authorized official(s): Centre for Emergency Preparedness EZEand Response 4111/0c. The Health Protection Agency Porton Down

4 Fill in if the information has been requested and if the results of the test were negative.

Form BP/9 (second and last page)

Salisbury SP4 OJG